OPEN Doors

A publication of the Residential Tenancies Branch

Issue 10, December 2007

Single Unit Rehabilitation Scheme Now Possible

As of November 1, 2007, landlords can apply to the Residential Tenancies Branch for approval of a rehabilitation scheme for single units. The program applies only to units that have been voluntarily vacated in residential complexes with four or more units.

Landlords will benefit from this program because of the lower cost to renovate a single unit rather than a whole complex. Also, it eliminates the cost of having to terminate tenancies during renovations. The result is more landlords will be able to invest in, and improve, their buildings.

Many tenants will also see an advantage with this program. Only the tenants who occupy a rehabilitated unit will pay extra rent that results from the renovation costs.

When reviewing an application, the branch will consider the general condition of the complex as well as that of the unit. To qualify for approval, the rehabilitation must make major improvements to the unit that substantially increase its quality. To qualify, renovations must include the replacement of at least three of the following:

- kitchen cabinets or kitchen countertops and sinks
- appliances
- bathroom fixtures
- flooring
- electrical wiring
- interior doors
- windows or patio doors
- any other improvements approved by the branch

A unit approved under this program will be exempt from rent regulation for a specified period. The length of time the unit may be exempt is calculated by:

Rehabilitation Cost of Unit (not including the application fee)	**Exemption Period**
$3,500 to $4,999.99	1 year
$5,000 or more	2 years

Landlords who apply for the rehabilitation scheme for a specific unit that has, or will become, voluntarily vacant must complete the *Application for Approval of Rehabilitation Scheme for Specified Unit (Form 5.1)*. The completed application must be received by the branch before 20 per cent of the total renovation is completed. Applications must be accompanied by a $100 processing fee per unit and information showing the unit has been vacated voluntarily.

Landlords may apply for up to 10 per cent of the total units in a residential complex. The branch will exempt up to 3,000 rental units from rent regulation each calendar year. The total number of units exempt under this regulation cannot exceed 5,500 at any one time.

Application forms are available from any office of the Residential Tenancies Branch; or visit the branch website manitoba.ca/rtb.

ACTING DIRECTOR

We are pleased to announce that, effective August 6, 2007, Laura Gowerluk is the acting director of the Residential Tenancies Branch and Linda Wray is the acting deputy director.

To subscribe to Open Doors, give us your comments, or get more information, call 945-2476 in Winnipeg, toll free 1-800-782-8403 or visit manitoba.ca/rtb

SALE OF RENTAL UNITS

A landlord may decide to sell a rental unit. While the unit is for sale, the landlord must give proper notice to the tenant before showing it to prospective buyers. Before anyone enters the unit to show it, the landlord must give the notice to the tenant or to any adult at the rental unit. The notice must:

- be in writing
- say why the landlord needs to go in
- give the date and time of the visit

If the time and date are not convenient for the tenants, they can tell the landlord. However, they must give landlord a chance to enter the unit on another day or time.

Notice to Tenants

A landlord may be allowed to give a tenant notice to move out, if the landlord has sold the rental unit, but there are some rules that apply. A landlord can't give a tenant notice to move if the landlord is just planning to sell the property, even if the unit is already on the market.

Landlords can only give notice when: all of the conditions of the sale are final; and the buyer asks the landlord, in writing, to give notice because the buyer, buyer's spouse, adult child, adult stepchild, parent or parent-in-law is moving into the rental unit.

If there are no school-age children living in the rental unit and the tenancy agreement is month-to-month, the landlord can give notice of one rental payment period. If the agreement is for a fixed term, landlords must give tenants notice that they won't renew the agreement. Notice of non-renewal must be given at least three months before the agreement ends.

Exception for School-age Children

If a tenant has school-age children living in the rental unit and their school is conveniently accessible from the rental unit, the tenant can stay in the unit until the end of the school year. A school year is September 1 to June 30.

This exception applies to both month-to-month and fixed-term agreements. If a fixed term tenancy ends during the school year, the landlord must give the three-month notice of non-renewal **and allow the tenant to stay until the end of the school year.**

Earlier Termination by Tenant

After the tenant receives notice to move out because the unit has been sold, the tenant may choose to move out earlier by giving the landlord notice of one rental-payment period.

Moving Expenses

When a landlord ends a tenancy because the property has been sold, the landlord must pay the tenant for reasonable moving expenses up to $350.

For more information on this subject, contact the Residential Tenancies Branch at 204-945-2476 in Winnipeg; or toll free at 1-800-782-8402.

Submit Notices Electronically

Landlords will be happy to hear that they can now complete Notice of Rent Increase and Notice to New Tenant forms on the Internet and file them with the Branch online. The Residential Tenancies Branch has completed testing on the system and it is now up and running.

The electronic submission system is user-friendly, efficient, secure and flexible. It will serve the industry well. To use it, landlords must log onto the branch website at manitoba.ca/rtb and follow the links from Electronic Forms Submission.

The site asks landlords to select the notice they wish to complete. Then they fill in the blanks, print a copy for their tenants and save one for their records. The system even makes the calculations, which helps reduce errors. It instantly sends the information to the branch – saving landlords mail or delivery costs. The new system also means landlords will receive any necessary feedback from the branch much faster.

THE ELECTRONIC SUBMISSION SYSTEM IS USER-FRIENDLY, EFFICIENT, SECURE AND FLEXIBLE.

The branch will continue to provide paper forms for landlords who prefer to use them.

Plan for Your Safety

2008-05020/

Every home needs a fire escape plan – a plan to get out of the building safely and quickly. Make an escape plan and practise it with everyone in your household. Tell your babysitter about the plan.

The right time to plan how to escape a fire is now!

How to Make an Escape Plan

1. Learn where all of the possible exits are.
2. Draw a floor plan of your unit and the building.
3. If possible, plan more than one way to get out of the building from each room. If you live in an apartment building, take into account the fire escape procedures provided by the landlord.
4. Make sure everyone in the household understands that if they hear the smoke alarm, the building's central fire alarm, or someone shouting "fire" they should get out of the building immediately.
5. Decide on a place to meet after leaving the building.
6. Practise the plan regularly to help prevent panic in a real emergency.

In Case of Fire

1. Remember your plan.
2. Leave the building immediately.
3. Before opening any door on the way out, feel it. If the door is hot, do not open it – use another way out.
4. In a smoke-filled area, crawl on your hands and knees. The best air is down low.
5. Call the fire department.
6. If anyone in your home is not able to get out on their own try to find someone who can help them, preferably a firefighter.
7. Go to the meeting place. If anyone is missing, tell the firefighters.
8. Meet the firefighters when they arrive.
9. Do not re-enter the building.

A properly installed and maintained smoke alarm should give tenants enough warning to safely leave a building. In Winnipeg, landlords are required to install certain smoke alarms in all rental units. They must also test the alarms regularly to make sure they are working and show tenants how to use and test them.

For more information on smoke alarms, contact the City of Winnipeg Fire Prevention Branch at 986-6358 in Winnipeg or the Residential Tenancies Branch at 945-2476 in Winnipeg. Outside Winnipeg, contact your local fire prevention authority.

MANITOBA SENIORS GUIDE A HELPFUL RESOURCE

The Minister responsible for Seniors and The Manitoba Seniors and Healthy Aging Secretariat work across government and with numerous organizations, including seniors' resource councils, seniors centres and many community organizations to promote the health, independence and well-being of all seniors. The secretariat works to ensure the needs and concerns of seniors are reflected in legislation, public policy and programs.

In 2003, the secretariat announced the implementation of the Advancing Age Strategy: Promoting Older Manitobans. The strategy focuses on developing a co-ordinated and comprehensive framework of legislation, public policy and programs based on three themes: health care, community living and security. Issues that are of particular interest are housing, transportation, health and wellness, safety and security and finances.

The province has a strong network of organizations providing programs and services for seniors who live independently and those who live in seniors' apartments and complexes. Information about these organizations can be found in the *Manitoba Seniors Guide*. The guide is updated annually and may be of interest to landlords, tenants and community groups.

Landlords may want to help connect some their senior tenants with services and programs that can help them continue to live independently. The *Manitoba Seniors Guide* is a key resource for seniors, their families and caregivers. It has information on a wide range of topics such as senior's organizations, finances, housing, health services, community living and safety and security.

For your copy of the *Manitoba Seniors Guide* or additional information on programs and services available to older Manitobans, contact the Seniors Information Line at 945-6565 in Winnipeg or toll free at 1-800-665-6565. If you suspect signs of elder abuse you may also wish to call our confidential Elder Abuse Line at 945-1884 in Winnipeg or toll free at 1-888-896-7183.

2008 Rent Increase Guideline

The 2008 guideline for rent increases has been set at two per cent. The guideline is determined annually and takes into account cost increases in of utilities, property taxes, repairs and maintenance and other expenses for operating a residential complex.

The guideline applies to most residential rental units, including apartments, single rooms and houses. It does not apply to:

- → units renting for $1,070 or more per month as of December 31, 2007
- → personal care homes and non-profit housing with subsidized rent
- → approved rehabilitated rental units
- → new buildings that are:
  - less than 15 years old, where an occupancy permit was first issued or a unit first occupied after April 9, 2001
  - less than 20 years old, where an occupancy permit was first issued or a unit first occupied after March 7, 2005

Landlords can apply for an increase above the guideline if they can show the guideline will not cover cost increases they have incurred. Tenants must receive written notice of a rent increase at least three months before it takes effect. Tenants can object to any rent increase, whether or not it is above the guideline.

"TENANTS MUST RECEIVE WRITTEN NOTICE OF A RENT INCREASE AT LEAST THREE MONTHS BEFORE IT TAKES EFFECT."

Landlords and tenants who want more information on rent increases can contact the branch at 945-2476 in Winnipeg; toll free at 1-800-782-8403; or visit manitoba.ca/rtb.

Need information?

ONLINE
manitoba.ca/rtb

OFFLINE
in person or by phone

Visit your branch office Monday to Friday from 8:30 a.m. to 4:30 p.m.

Winnipeg at 302-254 Edmonton Street
or call **945-2476**

Brandon at 157-340 9th Street
or call **726-6230**

Thompson at 113-59 Elizabeth Drive
or call **667-6496**

Toll free 1-800-782-8403

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Publications Mail Agreement No. 40065629
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Residential Tenancies Branch
302-254 Edmonton St
Winnipeg MB R3C 3Y4